

SENATE BILL 3397

By Massey

AN ACT to amend Tennessee Code Annotated, Title 4;  
Title 39 and Title 45, Chapter 6, Part 2, relative to  
pawnbrokers.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 45-6-203, is amended by adding the following language as a new, appropriately designated subdivision:

( ) “Appropriate law enforcement agency” means the law enforcement agency that has primary jurisdiction over the premises where a pawnbroker engages in business. For the purposes of this chapter, the sheriff’s office of the county where the pawnbroker engages in business shall be the appropriate law enforcement agency, except where such premises are located within a municipality with its own police department, in which case the municipal police department shall be the appropriate law enforcement agency;

SECTION 2. Tennessee Code Annotated, Section 45-6-209(b)(7), is amended by deleting the subdivision in its entirety and by substituting instead the following:

The right thumbprint of the pledgor, provided that if taking the right thumbprint is not possible the pawnbroker shall take a fingerprint from the left thumb or another finger and shall identify on the pawn ticket which finger has been used. A thumb or fingerprint taken pursuant to this subdivision (b)(7) shall be clear and complete and contain no smears or smudges. A thumb or fingerprint taken pursuant to this subdivision (b)(7) shall be maintained by the pawnbroker for a period of five (5) years from the date of the pawn transaction.

SECTION 3. Tennessee Code Annotated, Section 45-6-209, is amended by adding the following language as a new, appropriately designated subsection:



(i) The pawnbroker shall, at the time of making a pawn transaction, buy-sell transaction, purchase for resale or other transaction involving jewelry, coins, gold, silver or other precious metals, in addition to the collection of the information set forth above, photograph all such items in their original condition when offered to the pawnbroker and retain such photographs for a period of two (2) years. Photographs shall clearly depict the item which is the subject of the transaction and contain an identifier linking the photograph to the record required as set forth above.

SECTION 4. Tennessee Code Annotated, Section 45-6-221, is amended by deleting the section in its entirety and by substituting instead the following:

Each licensed pawnbroker shall have a computer system in operation, if so requested by the appropriate law enforcement agency, that is capable of electronically transferring information and shall electronically transfer the information on pledged goods to the appropriate law enforcement agency where the pawnshop is located, in a method and format as prescribed by the law enforcement agency.

SECTION 5. This act shall take effect July 1, 2012, the public welfare requiring it.